

PRIVACY POLICY

Last Modified May 16, 2019

This Privacy Policy (this “Policy”) describes certain policies of Independence Title (collectively, along with our affiliates, “we”, “our” or “us”) on how we may collect, process, use, store, share, and disclose Personal Information (defined below) provided to us through your use of this website, mobile application, or other technology solution (collectively, the “Service”).

WHAT INFORMATION DOES THIS APPLY TO?

This Policy applies to Personal Information collected through the Service. It covers how we may collect, use, store, share, disclose, and otherwise process such Personal Information as of the date that this Policy is effective. This Policy does not apply to any other information collected by us through any other means, including through third parties.

“Personal Information” Personal Information means any information that may directly identify you including name, address, mobile or other telephone number, e-mail address, or other similar data elements that may be created or made available in connection with using our services.

HOW IS INFORMATION COLLECTED?

Personal Information you provide to us when you use the Service

We collect the Personal Information you provide directly to us through the Service, including when you create your account, provide contact information, and send other Personal Information to us through the Service. We may also upload your contact or other Personal Information into the Service if you provide that information to us offline or in other ways. Even if you do not send us any Personal Information, we may collect certain non-Personal Information about how you use the Service.

Personal Information we collect through your use of the Service

When you use the Service, we may collect the following Personal Information about you:

- *Usage Activity and Preferences.* We collect information about how you interact with the Service, preferences, and settings. In some cases, we do this through the use of cookies and similar technologies such as web beacons that create and maintain unique identifiers.
- *Devices and Software.* We may collect information about the device and software you use to access the Service, including, for example, hardware, operating system, software and file names and versions, preferred language, unique device identifier, advertising identifiers, serial number, and network information.
- *Log Information.* When you interact with the Service, we collect server logs, which may include Personal Information including device IP address, access times, app features accessed, pages viewed, app crashes and other system activity, type of browser, and referral link information.
- *Location.* If you permit the Service to access location services used by your device, we may collect the location of your device while you are using the Service.
- *Communication Information.* Personal Information sent by you to us through email or other communications methods, including messaging functionalities of the Service.

To learn more about your ability to control the collection of the information above regarding your preferences, usage activity, device, software, log and location information through tracking and similar technologies, please see the sections on “Cookies” and “What's the Policy on Third Party Analytics and Advertising Services” below.

Other Personal Information

We may also receive Personal Information from other sources, including:

- *Social Media.* If you choose to link, create, or log in to your Service account with a social media service (e.g., Twitter, Facebook, Instagram, etc.), or if you engage with a separate app or website that communicates with the Service, we may receive Personal Information about you or your connections from that service. In many cases you can control what Personal Information you share with us through privacy settings available on those third-party social media services.
- *Third Parties.* If you interact with us in a capacity outside of the Service, including on any other platform or in person, we



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may combine or associate that information with Personal Information we have collected from you through the Service, as well as with pre-existing Personal Information or Personal Information we have collected from third party offline or online sources.

- *Pre-Populated Personal Information.* Pre-populated Personal Information is information that may include your name and email address, that you may have given to a real estate professional with whom you have a pre-existing relationship. The professional may collect such pre-populated Personal Information from you with the sole purpose of pre-populating an account for the Service on your behalf and with your consent. You may choose not to finalize the creation of an account and may opt-out of all future communications from us by following the instructions in the account creation notification or by contacting us at the email address at the bottom of this page.

HOW IS PERSONAL INFORMATION USED?

We may use the Personal Information collected as described above as follows:

- *Provide the Service.* Provide, maintain, and improve the Service, including, for example, to send or facilitate communications among you, independent real estate professionals and their affiliated entities, and other users of the Service, provide products and services you request (and send related information), develop new features, provide customer support, and send updates and administrative messages.
- *Analysis.* Perform internal operations, including, for example, to troubleshoot bugs and operational issues, improve security; conduct data analysis, testing, and research; and monitor and analyze usage and activity.
- *Communicate.* Inform you about other services and products that may be available through us, our family of companies, and/or companies with which we have a marketing relationship, and to provide you a customer survey to assess your satisfaction with our services and products.
- *Personalize.* Personalize and improve the Service, including to provide or recommend features, content, social connections, referrals, and advertisements.

LOCATION OF SERVERS AND TRANSFER OF INFORMATION TO THE UNITED STATES

The Service is hosted on servers located in the United States. Note that some countries may not provide the same level of data protection as your home country. If you are located, for example, in European Economic Area or Switzerland (collectively, **“Europe”**), your Personal Information will be transferred to the United States and possibly to other jurisdictions (e.g., to the location of a property for which you have requested information), which may not provide the same level of protection under your local data protection laws. In such cases, we rely on suitable Personal Information transfer safeguards. You may have the right to request a copy or information about those safeguards by contacting us as detailed below.

HOW IS INFORMATION SHARED?

We may share the Personal Information we collect about you as described in this Policy or as otherwise described at the time of collection or sharing, including as follows:

Through the Service.

We may share your Personal Information:

- With independent real estate professionals and owners and operators of other franchised real estate brokerage companies to enable them to provide services you request through the Service.
- With third parties to provide you a service you requested through a partnership or promotional offering made by a third party or us.
- With the public if you submit to a public part of the Service, such as comments, social media posts, or other features viewable by the public or generally by registered users of the Service.
- With third parties with whom you choose to let us share information, for example other apps or websites that integrate with the Service, or those with a Service with which we integrate.

Through other means of Sharing.

We may share your Personal Information:

- With our affiliates.



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- With third party or affiliate service providers that provide services or conduct data processing on our behalf, or for data centralization and/or logistics purposes.
- To enable our advertisers to provide you with more personalized content and track the effectiveness of campaigns.
- With vendors, consultants, marketing partners, and other service providers who need access to such information to carry out work on our behalf.
- In response to a request for information by a competent authority if we believe disclosure is in accordance with, or is otherwise required by, any applicable law, regulation, or legal process.
- In connection with the potential merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or into another company.
- In an aggregated, de-identified, or anonymous form which cannot reasonably be used to identify you.

LEGAL GROUNDS FOR THE COLLECTION, USE, SHARING, AND OTHER PROCESSING OF PERSONAL INFORMATION

Certain jurisdictions, including those in Europe, require the identification of the legal grounds for the collection, use, sharing, and other processing of Personal Information. We rely on the following legal grounds for the collection, use, sharing, and other processing of Personal Information as described in this Policy:

- Necessary to provide information or otherwise carry out the performance of a contract with you as an individual;
- Our legitimate interests, including:
 - Performance of contracts;
 - Implementation and operation of a group-wide matrix structure and group-wide information sharing;
 - Customer relationship management, including other forms of marketing and analytics;
 - Fraud prevention, misuse of company IT systems, or money laundering;
 - Physical, IT, and network perimeter security;
 - Internal investigations; and
 - Intended mergers and acquisitions.
- Compliance with legal obligations and/or defense against legal claims, including those in the area of labor and employment law, social security, and data protection, tax, and corporate compliance laws.
- Protection of the vital interests of any individual;
- Performance of a task carried out in the public interest or in the exercise of official authority vested in us; and
- Consent, as permitted by applicable law.

HOW DOES SOCIAL SHARING APPLY?

The Service may integrate with social sharing features and other related tools which let you log in to the Service or share actions you take on the Service. Your use of such features enables the sharing of information with your friends or the public, depending on the settings you establish with the social sharing service. Please refer to the privacy policies of those social sharing services for more information about how they handle the data you provide to or share through them. We do not receive or store passwords to your third-party social media accounts in this context.

SECURITY

We use technical, administrative, and physical controls in place to protect your Personal Information from unauthorized access, use, and disclosure. For example, we provide the option to encrypt information you submit to us using Secure Sockets Layer technology that helps protect information during transport to our website. We periodically review our security measures to evaluate industry best practices and update accordingly. Even so, despite our reasonable efforts, no security measure is ever perfect or impenetrable.

DATA RETENTION

We will retain your Personal Information only for the period necessary to fulfill the purposes outlined in this Policy or as set out in our contracts, unless a longer retention period is required for our legitimate business purposes or permitted by a law that applies to us.

We retain your Personal Information only to the extent necessary to perform contractual obligations and to meet the compliance obligations that apply to our international business, as reflected in our record retention policy. When we no longer need your Personal Information, we will securely remove, deactivate, or de-identify your Personal Information from our systems. If you wish to request that We no longer use your Personal Information for the agreed upon services, please contact us at dataprivacy@realogy.com We will retain and use your information as necessary to comply with our legal obligations, resolve disputes and enforce our agreements.



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WHAT'S THE POLICY ON THIRD PARTY ANALYTICS AND ADVERTISING SERVICES?

We may allow others to provide audience measurement and analytics services for us, to serve advertisements on our behalf, and to track and report on the performance of those advertisements. These entities may use cookies, web beacons, SDKs, and other technologies to identify your device when you use the Service, and such services will be covered by the privacy policy of the respective third parties.

We use Google Analytics to collect information about use of the Service. More information on Google Analytics – including how you can control the information sent to Google - can be found here: www.google.com/policies/privacy/partners/.

WHAT'S YOUR COOKIE POLICY?

What are cookies?

Cookies are small data files stored in your device memory when you visit a website. Cookies and similar technologies are widely used by websites to make them work more efficiently, as well as to provide information to the website operator about how users are using their website.

How does the Service use cookies?

We use cookies to improve the Service and your experience, for example to enable you to move easily between the pages of the Service websites. We also use cookies for analytics purposes, to see which areas and features of the Service are popular, and to count visits. Additionally, we may use 'web beacons', which are electronic images that may be used on the Service, including in our emails to help deliver cookies, count visits, and understand usage and campaign effectiveness.

Essential cookies are essential, as they enable you to move around the Service and use its features. Without these cookies we could not, for example, authenticate your login or remember that you are logged-in as you move through the Service.

Functionality cookies allow us to remember choices you make (such as the region you're in) and tailor the Service to provide enhanced features and content for you. For instance, they can be used to remember your login details or remember your nickname when you next login. They may also be used to provide services you've requested, for example leaving a comment on the Service.

Analytics & performances cookies collect information about how the Service is used, for example which pages users visit most often and if any error messages are displayed on certain pages. Information collected using these cookies is used to monitor activity on the Service and understand how it is being used.

How to change your cookie settings.

Most devices allow you to block cookies by adjusting the settings on your browser. However, if you use your browser settings to block cookies (including essential cookies, such as those allowing you to log-in) you may not be able to access all or parts of the Service. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, please refer to your browser 'help' section, or visit www.aboutcookies.org or www.allaboutcookies.org.

Cookies that have been set in the past.

If you have disabled one or more cookies, we may still use information collected from cookies before your disabled preference was set. However, we will stop using the disabled cookie to collect any further information.

Controlling website tracking tools.

Your browser may give you the ability to control cookies. How you do so, however, depends on your browser and the type of cookie. Certain browsers can be set to reject all browser cookies. If you configure your computer to block all cookies, you may disrupt certain web page features, and limit the functionality we can provide when you visit or use the Service. (e.g., we will not be able to provide you with searches that you have asked us to save). You can change your cookie settings at any time. Some browsers have a "Do Not Track" feature that lets you tell websites that you do not want to have your online activities tracked. These browser features are still not uniform, so we are not currently set up to respond to those signals.



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YOUR RIGHTS AND CHOICES

You are not required to provide all Personal Information identified in this Privacy Statement to use the Service, but certain aspects of the Service will not be available to you. However, you can use our services without consenting to non-essential cookies or direct marketing emails; the only consequence is that our products and services will be less communicated, we may not be able to provide the support you seek, and you may miss out on attractive promotions and news about our products and services. Note that in certain cases, your Personal Information will be necessary for us, or an affiliated third party, to comply with legal obligations, or enter into and perform a contract with you.

If you reside in Europe, local data protection law may afford you the right to: obtain confirmation of the existence of certain information relating to you, to verify its content, origin, and accuracy, as well as the right to access, review, obtain a copy, port, delete, or to block or withdraw consent to the processing of certain information (without affecting the lawfulness of processing based on consent before its withdrawal), by contacting us as detailed below. You may also have the right to file a complaint with an applicable supervisory authority regarding our processing of your Personal Information.

Deactivation.

In the event you create an account, you can deactivate your account at any time by contacting us at the email address at the bottom of this page. However, you will not be able to access many of the services to deactivate your account. Please note that even if you request deactivation of your account, it may take some time to fulfill this request.

Promotional communications.

You may opt out of receiving promotional messages from us by following the instructions in those messages. If you opt out, we may still send you non-promotional communications, such as those about your account, about services you have requested, and our ongoing business relationship.

Cookies and similar technologies.

Please review your browser or device settings for certain cookies and see above to exercise certain choices regarding cookies.

Non-US Privacy Rights

Europe and certain other non-US jurisdictions maintain local data protection regulations that confer certain data protection rights on individuals. If applicable, and you wish to exercise any of these rights, please contact us as set out below.

1. **Right of access:** You have the right to obtain from us confirmation as to whether Personal Information concerning you is processed, and, to request access to the Personal Information. The access information includes, among other things, the purposes of the processing, the categories of Personal Information concerned, and the recipients or categories of recipient to whom the Personal Information have been or will be disclosed. This is not, however, an absolute right, and the interests of other individuals may restrict your right of access. You may have the right to obtain a copy of their Personal Information undergoing processing.
2. **Right to rectification:** You have the right to obtain from us the rectification of inaccurate Personal Information about you. Depending on the purposes of the processing, you may have the right to have incomplete Personal Information completed, including by means of providing a supplementary statement.
3. **Right to erasure (right to be forgotten):** Under certain circumstances, you have the right to obtain from us the erasure of Personal Information concerning you, and we may be obligated to erase that Personal Information.
4. **Right to restriction of processing:** Under certain circumstances, you have the right to obtain from us restriction of processing your Personal Information. In that case, your data will be marked and may only be processed by us for certain limited purposes. As we process and use your Personal Information primarily for purposes of carrying out the contract for a services relationship with your employer, we will have a legitimate interest for the processing which will override your restriction request, unless the restriction request relates to marketing activities.
5. **Right to data portability:** Under certain circumstances, you have the right to receive the Personal Information about you, which you have provided to us, in a structured, commonly used and machine-readable format, and you have the right to transmit that data to another entity without hindrance from us.
6. **Right to object:** Under certain circumstances, you have the right to object, on grounds relating to your situation, at any time to the processing of your Personal Information by us, and we can be required to no longer process your Personal



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Information.

Where permitted by applicable law, you also have the right to lodge a complaint with a competent data protection supervisory authority.

WHAT ARE CALIFORNIA PRIVACY RIGHTS?

California residents may request from businesses with whom they have an established business relationship (1) a list of categories of Personal Information, such as name, address, e-mail address, and the type of services provided to the customer, that a business has disclosed to third parties during the immediately preceding calendar year for the third parties' direct marketing purposes and (2) the names and addresses of all such third parties. To request the above information please contact us by writing to us under the "Contact Us" section below. We will respond to such requests within 30 days of receipt.

We may change this Policy and will provide notice of changes through the Service or by email. Your continued use of the Service after notice constitutes your consent to the change.

CHILDREN

The Service is not intended or directed to children under the age of 16, and we do not knowingly collect any Personal Information, or knowingly track the use of our Service, from children. If we have actual knowledge that Personal Information about a child under 16 years old has been collected, then we will take appropriate steps to try and delete such Personal Information.

THIRD PARTY WEBSITES

The Service may contain links to third-party services. We do not own, operate, or control the websites of unaffiliated third parties. Accordingly, this Policy does not apply to any services maintained or operated by unaffiliated third-parties. When you click on those links, you will go to a third-party website where you will be subject to that service's privacy policy or similar statement and terms of use, and we encourage you to read that policy statement. We are not responsible for the privacy practices of other services, and we expressly disclaim any liability for their actions, including actions related to the use and disclosure of Personal Information by those third parties.

CHANGES TO THIS POLICY; LANGUAGE

We may amend this Policy at any time. If we make any material change in how we collect, use, disclose, or otherwise process Personal Information, we will prominently post a notice regarding such change on the Service. Any material changes to this Policy will be effective 10 days after our posting of the updated Policy or as otherwise required by applicable law. Where required to do so by law, we may seek your prior consent to any material changes we make to this Policy. This Policy is provided in English only to avoid any misinterpretations caused by translation. If necessary, please seek appropriate advice before proceeding or do not use the Service.

CONTACT US

If you have any questions or concerns about this Policy, please contact us.

Email: dataprivacy@realogy.com

Mailing address: 175 Park Ave., Madison, NJ 07940 Attn: Data Privacy

Phone number: (888) 778-6995



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